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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/711,384	09/15/2004	Yung-Chi Shen	22171-00023-US1	5383

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CONNOLLY BOVE LODGE & HUTZ LLP  
P.O. BOX 2207  
WILMINGTON, DE 19899-2207

EXAMINER
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TRAN, THANG V

ART UNIT	PAPER NUMBER
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2627

DATE MAILED: 10/17/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/711,384	<b>Applicant(s)</b> SHEN, YUNG-CHI	
	<b>Examiner</b> Thang V. Tran	<b>Art Unit</b> 2627	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-27 is/are allowed.
- 6) ☒ Claim(s) 28-32 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 September 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____.  |

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 28, 29 and 32 are rejected under 35 U.S.C. 102(b) as being anticipated by Semba (US 5,760,991).

Regarding claim 28, see Figs. 1 and 2 of Semba which disclose a track-locking apparatus for an optical disk drive, comprising: a pickup head (5) for detecting a tracking error signal (2); a signal reshaping circuit (10, 7) for reshaping the TE signal to a reshaped tracking error signal so as to generate a track-locking driving signal; a seek control circuit (6, 9, 12, 14) connected to the signal reshaping circuit in parallel for generating a seek driving signal based on the tracking error signal (2); and a driver (5) for adjusting the position of the pickup head based on the seek driving signal (signal outputted from comparator 9) or the track-locking driving signal (signal outputted from compensator 7).

Regarding claim 29 see circuit (8) that inherently includes a preamplifier connected to the pickup head (5) for combining and amplifying the TE signal.

Regarding claim 32, see circuit 10 in Fig. 2 and described in Fig. 1 as a signal reshaping unit and see compensator 7 in Fig. 2 as a compensator included in the signal reshaping circuit comprises (10,7).

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3. Claims 28-32 are rejected under 35 U.S.C. 102(e) as being anticipated by Kishimoto et al (US 6,628,580).

Regarding claim 28, see Fig. 1 or 6 of Kishimoto et al. which discloses a track-locking apparatus for an optical disk drive, comprising: a pickup head (103) for detecting a tracking error signal (TE); a signal reshaping circuit (106, 107) for reshaping the TE signal to a reshaped tracking error signal so as to generate a track-locking driving signal; a seek control circuit (113-117) connected to the signal reshaping circuit in parallel for generating a seek driving signal (track jump signal) based on the tracking error signal (TE); and a driver (110) for adjusting the position of the pickup head based on the seek driving signal (track jump signal output from adder 117) or the track-locking driving signal (tracking control signal outputted from gain changer 107).

Regarding claim 29 see circuit (104) that inherently includes a preamplifier connected to the pickup head (103) for combining and amplifying the TE signal.

Regarding claim 30, see switch 112 as a first switch and switch 108 as a second switch respectively disposed at the two ends of the parallel signal reshaping circuit and seek control circuit.

Regarding claim 31, see the first and second switches are controlled by track jumping that is obtained from a seek (track jump) control unit in DSP 111.

Regarding claim 32, see gain changer 107 in Fig. 3 as a signal reshaping unit and see compensation filter 106 as a compensator included in the signal reshaping circuit comprises (106, 107).

***Allowable Subject Matter***

4. Claims 1-27 are allowed over the prior art of record.
5. Claims 1-27 are allowed over the prior art of record because the prior art of record, considered alone or in combination, fails to suggest or fairly teach a track locking method including a combination of all of limitations as particularly recited in claim 1, lines 4-18. Claims 2-27 are allowed with their respective parent claim.

***Cited References***

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The cited references relate to a tracking servo control apparatus having a tracking control mode and seeking/jumping control mode for control the tracking and seeking/jumping operations based on a tracking error signal; and a switch for switching between the tracking control mode and the seeking/jumping control mode.
7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thang V. Tran whose telephone number is (571) 272-7595. The examiner can normally be reached on M-F 9:30AM-6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nguyen Hoa can be reached on (571) 272-7579. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

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applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Thang W. Tran  
Primary Examiner  
Art Unit 2627